

REMARKS

I. Amendments

In the Specification

In response to the Examiner's objection to the specification, a SEQ ID NO: identifier has been inserted in the specification to more clearly identify the corresponding sequence for the 19P2-L31 peptide of the claimed invention. Support for the amendment is found in the specification and claims as filed, and in particular in the Specification on Pages 93-95 Example 21, and in the Sequence Listing SEQ ID NO: 5.

In the Claims

Claims 20 – 35 are currently pending. In the interest of furthering prosecution in the present case, Applicants have canceled claims 20-21 and 24-35 without prejudice to the filing of future continuing applications.

Claims 22 and 23 remain.

II. Rejections under §112 first paragraph

In the interest of furthering prosecution in the present case, Claims 22 and 23 have been amended to limit the presently claimed invention to polypeptides of SEQ ID NO.:5, without prejudice to the filing of future continuing applications.

This rejection should be withdrawn.

III. Rejections under §112 second paragraph

Claims 22 and 23 have been amended to clarify that the indicated amino acid sequence is the sequence "of" the identified SEQ ID NO.

This rejection should be withdrawn.

III. Rejections under §102(a) and (e) - Hinuma et al. (US Patent 6,228,984, May 8, 2001)

Claims 20-23 stand rejected under 35 USC §102(a) and (e) as being anticipated by Hinuma et al. (US Patent 6,228,984, May 8, 2001). The cited reference does not claim or teach the presently claimed invention, thus the rejection is unsupported and should be withdrawn.

The present invention encompasses a method for promoting prolactin secretion in a mammal by administering a polypeptide of SEQ ID NO.:5. This specific method of treatment and the properties of the polypeptides of the claimed invention are not taught or suggested by Hinuma et al.

The rejections should be withdrawn.

IV. Rejections under §102(a) - Hinuma et al. (Nature, 21 May 1998)

Claims 20-23 stand rejected under 35 USC §102(a) as being anticipated by Hinuma et al. (Nature, 21 May 1998).

The cited reference is not a proper reference under §102(a) against the present application, thus the rejection is unsupported and should be withdrawn.

The present application claims priority to Japanese Patent Application JP 9-165437 filed June 23, 1997, via PCT application Serial No. PCT/JP98/02765 under 35 USC §119.

This rejection should be withdrawn.

V. Conclusion

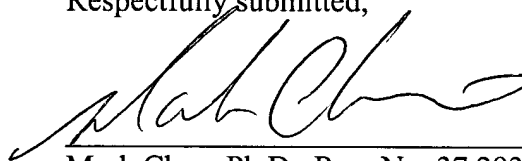
Reconsideration of the claims as amended in view of the traverse made above is solicited. Early allowance of the claims is requested. Should the Examiner believe that a conference with applicants' attorney would advance prosecution of this application, the Examiner is respectfully invited to call applicants' attorney at the number below. In the event that the traverse is deemed not to overcome the Examiner's rejection, entry of the amendments is requested for purpose of Appeal.

Respectfully submitted,

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(847)383-3372

(847)383-3391



Mark Chao, Ph.D., Reg. No. 37,293

Elaine M. Ramesh, Ph.D., Reg. No. 43032

Attorney for Applicants

Customer No. 23115

Takeda Pharmaceuticals North America, Inc.
Intellectual Property Department
Suite 500, 475 Half Day Road
Lincolnshire, IL 60069 USA